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ST. PAUL FIRE AND MARINE INSURANCE
COMPANY
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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11
12 MATSON NAVIGATION COMPANY,
INC.,

13 Petitioner,

14 v.

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16 ST. PAUL FIRE & MARINE
INSURANCE COMPANY,

17 Respondent.
18

Case No. CV 11 3571 lb

**STIPULATION CONTINUING HEARING
DATE AND BRIEFING SCHEDULE FOR
PETITION FOR APPOINTMENT OF
ARBITRATOR [CIVIL LOCAL RULE 6-
2(a)]**

19 The parties, through undersigned counsel, stipulate as follows:

20 1. The dispute that is the subject of this lawsuit is subject to binding arbitration
21 pursuant to prior agreement of the parties. On August 19, 2011, the parties stipulated to extend St.
22 Paul's time to respond to Matson's Petition for Appointment of Arbitrator (the "Petition"), to and
23 including September 16, 2011.

24 2. On September 15, 2011, the parties reached preliminary agreement on an umpire,
Hon. Charles Legge (Ret.). The parties have or shortly will confirm with Judge Legge that he is
willing to serve in that capacity. Assuming he is, his appointment would render the Petition
moot.

25 3. In order to confirm Judge Legge's appointment, to minimize inconvenience to the
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1 STIPULATION CONT. HEARING/
BRIEFING ON PETITION FOR
APPOINTMENT OF ARBITRATOR

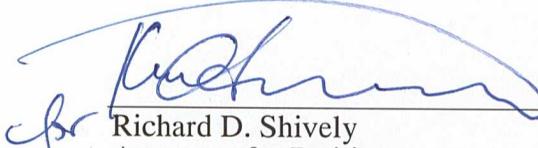
1 Court, and to avoid unnecessary expense by the parties, the parties agree that the hearing on the
2 Petition, and all corresponding briefing not yet filed by the parties, should be continued to the
3 first available date on the Court's calendar after November 15, 2011. If, as is expected, the
4 parties are able to confirm Judge Legge's appointment in the interim, the Petition will be
5 dismissed by stipulation. If not, the parties will brief and present the Petition to the Court for
6 hearing according to the new hearing date.

7 4. By virtue of the foregoing, the parties respectfully submit that good cause exists,
8 and respectfully request the Court, to continue the hearing on the Petition and all corresponding
9 briefing deadlines to a date not earlier than November 15, 2011.

10 IT IS SO STIPULATED.

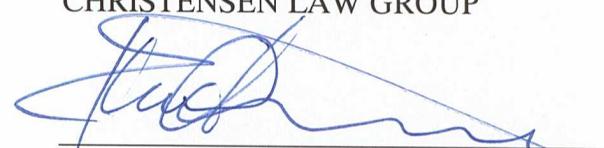
11 Dated: September 15, 2011

12 LAW OFFICE OF RICHARD D. SHIVELY

13 
14 Richard D. Shively
15 Attorneys for Petitioner
16 MATSON NAVIGATION COMPANY, INC.
17 *With express written authority*

18 Dated: September 15, 2011

19 CHRISTENSEN LAW GROUP

20 
21 Kevin M. (Casey) Christensen
22 Attorneys for Respondent
23 ST. PAUL FIRE & MARINE INSURANCE
24 COMPANY

1 **[PROPOSED] ORDER**
2

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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5 **October 6**
6

7 Dated: September , 2011
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11 Hon. Laurel Beeler
12 United States Magistrate Judge
13 Northern District of California
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15 **Plaintiff's petition (ECF No. 1) shall be heard by the court on Thursday, January 19, 2012
16 at 11:00 a.m. Defendant shall file any opposition brief no later than December 8, 2011.
17 Plaintiff shall file any reply brief no later than December 15, 2011.**
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